

Serial No. 10/773,463

REMARKS

Claims 2-6 are pending. Claim 1 has been previously cancelled. Claim 2 has been amended to recite that the directional pattern of the second antenna faces away from the human body when the mobile terminal is in a folded state and a flip side of the mobile terminal faces the human body ("... the second antenna is provided on a flip side of a surface facing the second box body on the printed circuit board when the first box body and the second box body are folded together so as to set a directional antenna pattern to face away from a human body when the mobile terminal is kept next to the human body in a folded state in which a flip side surface of the second box body facing the first box body also faces the human body" – see language from amended claim 2 reproduced above).

Support for the above-noted amendment is found in Applicant's specification originally filed (at page 6, lines 5-15) reciting:

Further, the directional antenna [(e.g., patch antenna 103)], when prompting the user to set the direction pattern so as to face outwards against the human body, can receive less of the influence by the human body. Hence, the directional antenna [(e.g., patch antenna 103)] can acquire the sufficient receiving sensitivity for measuring the position even when the mobile terminal is in the folded state (a closed state). Moreover, the switching unit, when a specified receiving sensitivity is not obtained during a receipt by the first antenna [(e.g., omnidirectional chip antenna 102)], may switch over to the receipt by the second antenna [(e.g., patch antenna 103)]. [(Applicant's specification published as US 2004/0229665 A1 at paragraph [0022]; emphasis added.)]

Claim 2 has also been amended to correct a typographical error so as to recite "rotatably" instead of "rotatable" to reflect correct grammatical usage without introducing new matter.

Thus, no new matter is introduced by the foregoing amendments to claim 2.

Rejections of Record

In response to the rejections of record to date made in the final Office Action mailed on August 14, 2007, Applicant respectfully requests that the Amendment After Final Rejection submitted on November 14, 2007 be considered and entered and then this paper currently filed also be considered and entered in view of the RCE and RCE fee submitted herewith. To the extent necessary to avoid a non-responsive rejection, the entire contents of the Amendment filed

Serial No. 10/773,463

on November 14, 2007 are incorporated herein by reference without having to repeat the same together with the further amendments noted in this paper.

To expedite prosecution, Applicant submits that the above-noted amendments to claim 2 (and to claims 3-6 ultimately depending therefrom by virtue of their claim dependency) recite further specifics of the locations of the first and second antennas. Such feature is not disclosed, taught or suggested by the cited references of record – namely – U.S. Pat. No. 5,649,306 to Vannatta et al., U.S. Pat. No. 5,991,643 to Chao-Cheng and/or U.S. Patent Publication No. 2004/0046694 of Chiang et al., as applied.

In view of the foregoing, Applicant respectfully submits that the claimed invention is patentable over the applied references of record. Accordingly, Applicant respectfully requests reconsideration and withdrawal of all rejections of record.

An early action to that effect is courteously solicited.

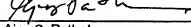
Finally, if there are any formal matters remaining after consideration and entry of this paper, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: February 14, 2008

By: 
Ajay S. Pathak
Registration No. 38,266

1201 New York Avenue, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 454-1594 (direct)
Telephone: (202) 434-1500 (main)
Facsimile: (202) 434-1501

Enclosures:

Fee Transmittal

RCE Transmittal

Authorization to Charge Deposit Acct. for all fees needed